

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**GUSTAVO XAVIER**

Petitioner,

v.

**MICHAEL HARLOW, et. al**

Respondents.

CIVIL ACTION NO. 3:12-CV-1603  
(JUDGE CAPUTO)  
(MAGISTRATE JUDGE SAPORITO)

**ORDER**

**NOW**, this 7<sup>th</sup> day of January, 2016, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 18) is **ADOPTED** as set forth in the accompanying Memorandum:
  - (A) The Petition for Writ of Habeas Corpus (Doc. 1) is **DENIED AND DISMISSED**.
  - (B) A certificate of appealability will not be issued.
- (2) The Clerk of Court is directed to mark the case as **CLOSED**.

/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge